IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRI.REVISION APPLICATION NO. 293 OF 2002

Shri Dr. M.S. Baldwa ..Applicant.

V/s.

The State of Maharashtra & Anr. .. Respondents.

Shri Yogesh P. Yagnik for the Applicant.
Shri V.B. Konde -Deshmukh for Respondent No.1 -State.

CORAM : A.M.KHANWILKAR, J.
DATED : FEBRUARY 28, 2005

PC :-

. Heard.

. It is argued that the prosecution against the applicant is malafide. This argument is canvassed on the ground that only the applicant has been singled out for prosecution; whereas other occupants continued to occupy the premises in the same way the applicant occupied. In the first place, no such plea was taken before the courts below. Secondly, merely because some other persons have committed the same offence, have not been prosecuted, will be no ground to extricate the present applicant, who has committed the offence. Both the courts below have recorded

concurrent findings of fact regarding commission of offence by the applicant. Not a case for interference in revision. Dismissed.

. Ordered accordingly.

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